

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ENDO PHARMACEUTICALS INC.,

Plaintiff,

v.

C.A. No. 12-cv-8985-TPG

ACTAVIS INC. and ACTAVIS SOUTH
ATLANTIC LLC,

Defendants.

ENDO PHARMACEUTICALS INC.,

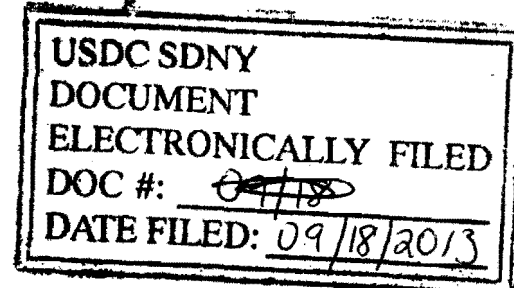
Plaintiff,

v.

ROXANE LABORATORIES, INC.,

Defendants.

C.A. No. 13-cv-3288 (TPG)



ORDER DENYING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

THIS MATTER having been brought before the Court by plaintiff Endo Pharmaceuticals Inc. upon motions pursuant to Fed. R. Civ. P. 65 for a preliminary injunction in each of the above-captioned cases, seeking to enjoin defendants Actavis Inc. and Actavis South Atlantic LLC (collectively, "Actavis") (in the 12-cv-8985 action) and defendant Roxane Laboratories, Inc. (in the 13-cv-3288 action) from marketing or selling their respective generic oxymorphone extended release tablets approved under, respectively, Abbreviated New Drug Application Nos. 79-046 (Actavis) and 20-0822 (Roxane), in each instance pending a trial on the merits of Endo's patent infringement claims; and the Court having considered the papers submitted by the parties in connection with those motions, and the oral arguments of counsel presented on August 26, 2013 and September 12, 2013; and good cause appearing,

IT IS on this 18 day of September, 2013,

HEREBY ORDERED THAT, for the reasons set forth on the record on September 12, 2013, Endo's motions for a preliminary injunction are hereby DENIED.

IT IS FURTHER ORDERED THAT, upon consideration of the arguments of counsel, Endo's oral motion pursuant to Fed. R. Civ. P. 62(c) for entry of an injunction pending an appeal of the order denying Endo's motions for a preliminary injunction is hereby DENIED.

Dated: Sept. 18, 2013



HONORABLE THOMAS P. GRIESA
UNITED STATES DISTRICT JUDGE